

Attachment Eight

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF LOUISIANA
3 FEDERAL GRAND JURY
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8 In the Matter Of: *

9 UNITED STATES OF AMERICA *

10 VERSUS * NO. 12-03-83

11 GABRIEL THOMAS PORTEOUS *

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15 TESTIMONY OF:

16 RONALD BODENHEIMER

17 in its entirety taken before the Federal Grand
18 Jury on Thursday, the 22nd day of April, 2004.

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20 APPEARANCES:

21 NOAH BOOKBINDER
22 DANIEL PETALAS
23 United States Department of Justice
24 Public Integrity Section
25 Washington, D.C.

And the Ladies and Gentlemen of the Grand Jury

1 me tell you, let me give you some pointers about
2 being a judge. Number one, you'll never be known
3 as Ronnie again. You'll be judge for the rest of,
4 your life. Number two, you'll never have to buy
5 lunch again OK. There will always be somebody to
6 take you to lunch. And number three, always wash
7 your rear end so the attorneys have a clean place
8 to kiss."

9 Q. Was there a time when Judge Porteous,
10 when he said those things to you, were there other
11 people around?

12 A. Yes. There was a bunch of, there was a
13 group of lawyers around talking. And it was said,
14 you know, in jest because everybody was laughing.

15 Q. Was there a time when he pulled you aside
16 to talk to you individually?

17 A. Yes. It wasn't straight from there, but
18 a little while later he and I ended up alone and
19 that's when he told me that -- he says, "Look.
20 Let me just tell you something." He says, "I know
21 you really don't like Louis Marcotte," because
22 Louis Marcotte -- and I hate to sound prejudice,
23 but he had the ponytail in the back and he just
24 looked like a Miami Vice dope dealer. And there
25 was always rumors about him fooling around with

1 cocaine. So I distanced myself from him.
2 Porteous knew it. And he says, "I know you got
3 this bad taste in your mouth for him. I know that
4 you've heard these rumors about him and cocaine."
5 He said, "Let me tell you. It's not true. He's a
6 good guy. You can trust him. If you got problems
7 with bonds go see him. He'll never steer you
8 wrong. He'll never get you hurt."

9 Q. Did he -- did Judge Porteous say anything
10 to you in that conversation about splitting bonds?
11 About that being a reason to talk to Mr. Marcotte?

12 A. Yeah. Well, actually, when I was still a
13 DA is when splitting the bonds things first
14 occurred. Porteous was the one who -- I use the
15 term invented it because I think of a better --
16 well, he started using that split bond kind of
17 thing.

18 Q. Could you explain to the grand jury very
19 briefly how split bonds worked, what that meant.

20 A. Yeah. You know, before Porteous, a split
21 bond -- you know, almost all bonds were either
22 cash or commercial. Sometimes you had people who
23 would come in and would have some property. And
24 even before Porteous it wasn't uncommon to split a
25 bond. But it was split this way: A guy comes in.

1 things that he did for you?

2 A. You know, you know, at first, you know,
3 when this all happened I said I didn't do anything
4 for him I didn't do for anybody else. But then
5 thinking about it and you examine your conscience
6 I did. I mean, you know, here's a guy that bought
7 you lunch last night and he shows up the next
8 morning and he wants a bond. You know, as much as
9 you try to say, "I did the right thing and I never
10 did anything illegal," the fact that you were out
11 to dinner last night with the guy makes a
12 difference, you know. And so I started thinking
13 about it and I said, "Yeah, you know, I did give
14 the guy actually something that I shouldn't have
15 and I was wrong for that."

16 Q. Did Judge Porteous' initial conversation
17 with you about Louis Marcotte and then the fact
18 that he went to those lunches, did that contribute
19 to the kind of relationship that you developed
20 with Louis Marcotte where you took things from him
21 and you did things for him?

22 A. Well, that's a hard question to answer.
23 I mean, Porteous never said, "Hey, Ronnie, you
24 know, he's gonna do things for you, you know, you
25 can take things from him cause --" he never told

1 me that. But the fact that he -- that, you know
2 -- I probably would have been a lot more
3 distrustful of Louis Marcotte in general if
4 Porteous hadn't, you know, even vouched for him.

5 I was Judge Chehardy's DA too and when
6 she vouched for him that meant something. But it
7 really didn't mean as much coming from Chehardy as
8 it did from Porteous because I just respected him.
9 I mean, not that I didn't respect Judge Chehardy,
10 but I respected Judge Porteous a whole lot more.

11 Q. Did the fact that Judge Porteous seemed
12 comfortable accepting these kind of -- these sort
13 of long and expensive lunches from Louis Marcotte
14 make you feel comfortable accepting those and
15 other things from him?

16 A. Yeah. I thought if Louis was doing
17 anything illegal Porteous wouldn't have anything
18 to do with him.

19 BY MR. BOOKBINDER: Does the grand jury
20 have any questions for the witness?

21 BY GRAND JUROR 13:

22 Q. I'm really not familiar with the
23 protocol, but is it common for judges and bail
24 bondsmen to have lunch together or whatever? Is
25 that a common practice?